

REMARKS

Claims 31-50 are pending. Claims 1-30 have been canceled. Claims 43-50 have been withdrawn from consideration.

Reconsideration of the application is requested.

Note, it was inadvertently said in the “Remarks” section of the paper entitled “Amendment And Response Under 37 CFR §1.111” that Claims 1-30 were currently amended, when they have been previously canceled.

§103 Rejections

-U.S. Pat. No. 5,103,337 (Schrenk et al.) in view of U.S. Pat. No. 4,945,203 (Soodak et al.)

Claims 31 and 32 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Pat. No. 5,103,337 (Schrenk et al.) in view of U.S. Pat. No. 4,945,203 (Soodak et al.).

The rejection of claims 31 and 32 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) should be withdrawn.

Claim 31 is directed toward an optical sheet suitable for use in a laminate comprising at least one glazing component having a peripheral edge, the optical sheet comprising a non-metallic multi-layer optical film having optical properties that are not provided by layers of elemental metal or metal compounds, the optical film including a stack of at least 100 optical layers, the optical film having multiple layers and a peripheral edge, and the multiple layers are fused together along a substantial portion of only the peripheral edge of the optical film so as to at least substantially reduce delamination of the multiple layers along at least the substantial portion of the peripheral edge of the optical film, where the delamination is caused, at least in part, by stresses placed on the optical film during autoclave glazing lamination processing, wherein the remaining portion of the multiple layers, other than the substantial portion of the peripheral edge, is not fused so as to at least substantially reduce delamination of the multiple layers.

It is submitted that one skilled in the art would not combine ‘337 (Schrenk et al.) and ‘203 (Soodak et al.) as suggested in the Office Action. It is alleged in the Office Action that the inventions in ‘337 (Schrenk et al.) and ‘203 (Soodak et al.) are both drawn to the field of “multilayer polymeric articles.” However, the type of “multilayer polymeric articles” each is drawn to is significantly different, and the teachings of ‘203 (Soodak et al.) relied on to modify ‘337 (Schrenk et al.) are not appropriate for the multi-layer optical film required in claim 31 that includes a stack of at least 100 optical layers.

Applicants stated in the previous response that “ ‘203 (Soodak et al.) makes no reference or suggestion that their teachings would be useful with a multi-layer optical film as required in Applicants’ claims, including that after use of their teachings, as suggested in the Office Action, the resulting optical sheet that includes the multi-layer optical film would still be useful for its intended purpose given the processing effects the ‘203 (Soodak et al.) would have on a multi-

layer optical film as required in Applicants' claims". In response, the current Office Action states:

Schrenk et al. is directed towards a multilayer polymeric optical stack. It is disclosed that the stack of Schrenk et al. should not be delaminated (C7, L45-55). Soodak et al. discloses a method of locally welding and cutting along the peripheral edges of a multilayer polymeric film (See Claim 1). While the specific use of this method is mentioned for bags in Soodak et al., the general methodology of localized cutting and welding of multiple polymeric layers (i.e. preventing delamination via laminating) would be directly applicable to the polymeric multilayer stack needing anti-delamination properties in Schrenk et al.

Applicant submits the rejection relies on inappropriate use of hindsight analysis to try to even combine the references, as well as lacks sufficient evidence of a reasonable expectation of success that '337 (Schrenk et al.) and '203 (Soodak et al.) could be properly combined to provide Applicants' claimed optical sheet that includes the multi-layer optical film. First, it is stated in the second sentence of third full paragraph on page 5 that "One having ordinary skill in the art at the time of the invention would appreciate that the welding of the peripheral edges of a multilayer laminate would result in improved delamination resistance." And on in the third sentence of numbered paragraph 9 on page 6, "While the specific use of this method is mentioned for bags in Soodak et al., the general methodology of localized cutting and welding of multiple polymeric layers (i.e. preventing delamination via laminating) would be directly applicable to the polymeric multilayer stack needing anti-delamination properties in Schrenk et al."

However, given the significantly different uses of the bags in '203 (Soodak et al.) (and the associated needs for such use) and the optical interference film of '337 (Schrenk et al.) (and the associated needs for its intended use), as well as the claimed optical sheet that includes the multi-layer optical film (and the associated needs for its intended use), and the significant differences in the film construction for the '203 (Soodak et al.) bag and the multi-layer optical film required in Applicants' claims that includes a stack of at least 100 optical layers, Applicant does not agree one of ordinary skill in the art would necessarily appreciate that the welding of the peripheral edges of a multilayer laminate would result in improved delamination resistance absent the inappropriate use of hindsight analysis in trying to piece together portions of prior art

using Applicants invention as a roadmap for doing so. Moreover, given the significant differences listed above, Applicants submit there is insufficient evidence set forth in the office Action to establish to one of ordinary skill in the art at the time the invention was made that there was even a reasonable expectation of success in combining the teachings of the ‘337 (Schrenk et al.) and ‘203 (Soodak et al.) to provide Applicants’ claimed invention.

Further Applicants’ disagree that the “autoclave” limitation is an intended use limitation, as opposed to a property limitation, of the optical sheet. The Office Action fails to articulate a rationale reason (including with the underlying supporting evidence) how the art properly suggests this property limitation.

Claim 32 depends from claim 31. Claim 31 is patentable, for example, for reasons given above. Thus, claim 32 should also be patentable.

In summary, the rejection of claims 31 and 32 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) should be withdrawn.

-U.S. Pat. No. 5,103,337 (Schrenk et al.) in view of U.S. Pat. No. 4,945,203 (Soodak et al.) as applied to claim 31 above, and in further view of U.S. Pat. No. 4,368,945 (Fujimori et al.)

Claims 33-35, and 37-42 stand rejected under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) as applied to claim 31 above, and in further view of ‘945 (Fujimori et al.).

The rejection of claims 33-35 and 37-42 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) as applied to claim 31 above, and in further view of ‘945 (Fujimori et al.) should be withdrawn.

Claims 33-35 and 37-42 depend, directly or indirectly, from claim 31. Claim 31 is patentable, for example, for reasons given above. ‘945 (Fujimori et al.) fails to overcome the deficiencies of ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) as applied to claim 31 above. Thus, claims 33-35, and 37-42 should also be patentable.

In summary, the rejection of claims 33-35 and 37-42 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.) as applied to claim 31 above, and in further view of ‘945 (Fujimori et al.) should be withdrawn.

-U.S. Pat. No. 5,103,337 (Schrenk et al.) in view of U.S. Pat. No. 4,945,203 (Soodak et al.) as applied to claim 31 above, and in further view of U.S. Pat. No. 4,368,945 (Fujimori et al.) as applied to claim 33 above, and in further view of U.S. Pat. No. 6,334,382 (Gourio).

Claim 36 stands rejected under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.), and further in view of ‘945 (Fujimori et al.) as applied to claim 33 above, and further in view of ‘382 (Gourio).

The rejection of claim 36 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.), and further in view of ‘945 (Fujimori et al.) as applied to claim 33 above, and further in view of ‘382 (Gourio) should be withdrawn.

Claim 36 depends from claim 33. Claim 33 is patentable, for example, for reasons given above. ‘382 (Gourio) fails to overcome the deficiencies of ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.), and further in view of ‘945 (Fujimori et al.) as applied to claim 33 above. Thus, claim 36 should also be patentable.

In summary, the rejection of claim 36 under 35 USC §103(a) as being unpatentable over ‘337 (Schrenk et al.) in view of ‘203 (Soodak et al.), and further in view of ‘945 (Fujimori et al.) as applied to claim 33 above, and further in view of ‘382 (Gourio) should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance.

Examination and reconsideration of the application, as amended, is requested.

Respectfully submitted,

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